
By: **Chairman, Judicial Proceedings Committee (By Request -
Departmental - Transportation)**

Introduced and read first time: January 23, 2003

Rules suspended

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicle Administration - Identification Cards - Cancellation**

3 FOR the purpose of authorizing the Motor Vehicle Administration to cancel
4 identification cards under certain circumstances; requiring the holder of a
5 canceled identification card to surrender the identification card to the
6 Administration immediately upon cancellation; and generally relating to
7 identification cards issued by the Motor Vehicle Administration.

8 BY repealing and reenacting, with amendments,

9 Article - Transportation

10 Section 12-301

11 Annotated Code of Maryland

12 (2002 Replacement Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Transportation**

16 12-301.

17 (a) On application, the Administration shall issue an identification card to any
18 individual who:

19 (1) Is a resident of this State;

20 (2) Does not have a driver's license;

21 (3) Presents a birth certificate or other proof of age and identity
22 acceptable to the Administration; and

23 (4) Presents a completed application for an identification card on a form
24 furnished by the Administration.

1 (b) (1) Except as provided in paragraph (2) of this subsection, the
2 Administration shall establish a fee for the issuance of an identification card and for
3 issuance of a duplicate identification card.

4 (2) A fee is not required if the applicant for the card:

5 (i) Is 65 years old or older;

6 (ii) Is legally blind;

7 (iii) Has permanently lost the use of a leg or an arm;

8 (iv) Is permanently disabled so severely that the applicant cannot
9 move without the aid of crutches or a wheelchair; or

10 (v) Has a physical or mental impairment that substantially limits a
11 "major life activity" as defined in the federal Americans with Disabilities Act.

12 (c) A person may not commit any fraud in applying for an identification card
13 issued under this section.

14 (d) A person may not commit any misrepresentation in applying for an
15 identification card issued under this section.

16 (e) A person may not commit any fraud in using an identification card issued
17 under this section.

18 (f) A person may not make any misrepresentation in using an identification
19 card issued under this section.

20 (g) (1) An identification card shall be:

21 (i) Of the size and design that the Administration requires; and

22 (ii) Tamperproof, to the extent possible.

23 (2) The card shall contain:

24 (i) The name and address of the applicant;

25 (ii) The birth date of the applicant;

26 (iii) The sex of the applicant;

27 (iv) A description of the applicant;

28 (v) A color photograph of the applicant taken by the procedure that
29 the Administration requires;

30 (vi) The expiration date of the identification card;

1 (vii) The signature of the applicant; and

2 (viii) The signature and seal of the issuing agent.

3 (h) An identification card may be used as legal identification of the individual
4 to whom it is issued for any purpose.

5 (i) An identification card expires every 5 years. It may be renewed on
6 application and payment of the fee required by this section.

7 (j) The identification card shall be surrendered by the holder upon being
8 issued a Maryland driver's license.

9 (k) The Administrator may issue an identification card to an applicant:

10 (1) Whose privilege to drive has been refused, cancelled, suspended, or
11 revoked; or

12 (2) Who has been issued a temporary license under § 16-205.1(b)(3)(iii)
13 of this article.

14 (L) (1) THE ADMINISTRATION MAY CANCEL AN IDENTIFICATION CARD
15 ISSUED UNDER THIS SECTION IF THE ADMINISTRATION DETERMINES THAT THE
16 HOLDER OF THE IDENTIFICATION CARD:

17 (I) WAS NOT ENTITLED TO BE ISSUED THE IDENTIFICATION CARD;

18 (II) FAILED TO PROVIDE ACCURATE OR REQUIRED INFORMATION
19 IN THE APPLICATION FOR THE IDENTIFICATION CARD;

20 (III) FRAUDULENTLY APPLIED FOR OR OBTAINED THE
21 IDENTIFICATION CARD; OR

22 (IV) IS OTHERWISE IN VIOLATION OF SUBSECTION (C), (D), (E), OR (F)
23 OF THIS SECTION.

24 (2) IF THE ADMINISTRATION CANCELS AN IDENTIFICATION CARD
25 UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE HOLDER OF THE IDENTIFICATION
26 CARD IMMEDIATELY SHALL SURRENDER THE CANCELED IDENTIFICATION CARD TO
27 THE ADMINISTRATION.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
29 effect October 1, 2003.